



THE CITY OF NEW YORK  
LAW DEPARTMENT

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March 20, 2023

**BY ECF**

Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
500 Pearl St.  
New York, New York 10007

Re: Damien Guarniere v. City of New York, et al.,  
21 Civ. 1739 (DLC)

Your Honor:

I am a Senior Counsel in the New York City Law Department, attorney for defendant City of New York in the above-referenced action. I write pursuant to Your Honor's Individual Rule 1.E to respectfully request an adjournment of the trial currently set to begin as early as April 10, 2023 as well as the final pretrial conference currently scheduled for April 7, 2023. All parties consent. This is the first such request to adjourn the trial and pretrial conference.

By Order dated March 1, 2023 (Dkt. 81), the Court scheduled a final pretrial conference for April 7, 2023 and further ordered that the case be placed on the April 10 trial ready calendar. This Order noted, moreover, that the parties be ready to proceed on 24 hours' notice. However, I will be away on these dates in observance of the Jewish holiday of Passover. Additionally, counsel for co-defendant Ibrahim will be out of the office during the week of April 3<sup>rd</sup>, and will therefore be similarly unavailable. For this reason, defendant City respectfully requests that the trial and corresponding final pretrial conference be adjourned.

City defendant notes that the above-referenced Order additionally directed the parties to submit their Joint Pretrial Order by March 31<sup>st</sup>. Defendant City is not requesting an adjournment of this deadline. Upon information and belief, the instant request will not affect any other scheduled dates in this matter.

*The trial date of April 10 was set in  
a March 1 order. The trial will  
begin on April 17. The final pretrial  
conference will be held on April  
14 at 10<sup>00</sup> am. Denise Cote  
3/20/23*

I thank the Court for its consideration herein.

Respectfully submitted,

*/s/ Daniel M. Braun*

Daniel M. Braun  
Senior Counsel

cc:

By ECF

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